

Senate File 2134 - Enrolled

PAG LIN

SENATE FILE 2134

AN ACT

RELATING TO VETERANS AFFAIRS BY MODIFYING TRAINING REQUIREMENTS, REQUIRING EXECUTIVE DIRECTORS AND ADMINISTRATORS TO PROVIDE MINIMUM HOURS OF SERVICE IN EACH COUNTY, SPECIFYING EXECUTIVE DIRECTOR, ADMINISTRATOR, AND EMPLOYEE DUTIES, CREATING A COUNTY COMMISSION OF VETERAN AFFAIRS TRAINING PROGRAM, CREATING A COUNTY COMMISSIONS OF VETERAN AFFAIRS FUND, PROVIDING AN APPROPRIATION, CONCERNING ELIGIBILITY CRITERIA FOR SPECIAL GOLD STAR MOTOR VEHICLE REGISTRATION PLATES AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 35A.5, subsection 9, Code Supplement 2007, is amended to read as follows:

9. After consultation with the commission, provide certification training to executive directors and administrators of county commissions of veteran affairs pursuant to section 35B.6. Training provided under this subsection shall include accreditation by the national association of county veteran service officers. Training provided by the department shall be certified by the national association of county veteran service officers and, in addition, shall ensure that each executive director and administrator is proficient in the use of electronic mail, general computer use, and use of the internet to access information regarding facilities, benefits, and services available to veterans and their families. The department may adopt rules in accordance with chapter 17A to provide for training of county veteran affairs executive directors and administrators.

Sec. 2. NEW SECTION. 35A.16 COUNTY COMMISSIONS OF VETERAN AFFAIRS FUND == APPROPRIATION.

1. a. A county commissions of veteran affairs fund is created within the state treasury under the control of the department. The fund shall consist of appropriations made to the fund and any other moneys available to and obtained or accepted by the department from the federal government or private sources for deposit in the fund.

b. There is appropriated from the general fund of the state to the department, for the fiscal year beginning July 1, 2009, and for each subsequent fiscal year, the sum of one million dollars to be credited to the county commissions of veteran affairs fund.

2. Notwithstanding section 12C.7, interest or earnings on moneys in the county commissions of veteran affairs fund shall be credited to the county commissions of veteran affairs fund. Notwithstanding section 8.33, moneys remaining in the county commissions of veteran affairs fund at the end of a fiscal year shall not revert to the general fund of the state.

3. If sufficient moneys are available, the department shall annually allocate ten thousand dollars to each county commission of veteran affairs, or to each county sharing the services of an executive director or administrator pursuant to chapter 28E, to be used for the employment of an executive director or administrator pursuant to section 35B.6.

4. A county commission of veteran affairs training program account shall be established within the county commissions of veteran affairs fund. Any moneys remaining in the fund after the allocations under subsection 3 shall be credited to the account and used by the department to fund the county commission of veteran affairs training program under section 35A.17.

Sec. 3. NEW SECTION. 35A.17 COUNTY COMMISSION OF VETERAN AFFAIRS TRAINING PROGRAM.

1. A county commission of veteran affairs training program is created under the control of the department for the purpose of providing training, certification, and accreditation opportunities for county commissions of veteran affairs executive directors, administrators, and employees.

2. The department may receive and accept donations,

4 grants, gifts, and contributions from any public or private
5 source for the purpose of providing training opportunities
6 under this section. All funds received by the department
7 shall be deposited in the county commission of veteran affairs
8 training program account established in section 35A.16,
9 subsection 4.

10 3. a. The department shall use funds deposited in the
11 county commission of veteran affairs training program account
12 to organize statewide or regional training conferences and
13 provide training, certification, and accreditation
14 opportunities for county commissions of veteran affairs
15 executive directors, administrators, and employees, consistent
16 with the requirements of section 35A.5, subsection 9.

17 b. During the fiscal year beginning July 1, 2009, the
18 department shall use account funds to arrange for an
19 accreditation course by the national association of county
20 veteran service officers to take place within the state.

21 c. The department may use account funds to hire an agency,
22 organization, or other entity to provide training or
23 educational programming, reimburse county executive directors,
24 administrators, and employees for transportation costs related
25 to a conference or program, or both.

26 4. The department shall adopt rules, pursuant to chapter
27 17A, deemed necessary for the administration of the county
28 commission of veteran affairs training program.

29 Sec. 4. Section 35B.6, subsection 1, Code 2007, is amended
30 to read as follows:

31 1. a. The members of the commission shall qualify by
32 taking the usual oath of office, and give bond in the sum of
33 five hundred dollars each, conditioned for the faithful
34 discharge of their duties with sureties to be approved by the
35 county auditor. The commission shall organize by the
1 selection of one of their members as chairperson, and one as
2 secretary. The commission, subject to the approval of the
3 board of supervisors, shall ~~have power to~~ employ an executive
4 director ~~or administrator and shall have the power to employ~~
5 other necessary ~~employees when needed, including~~
6 administrative or clerical assistants ~~when needed, the. The~~
7 compensation of such employees ~~to shall~~ be fixed by the board
8 of supervisors, but no member of the commission shall be so
9 employed. The executive director must possess the same
10 qualifications as provided in section 35B.3 for commission
11 members. However, this qualification requirement shall not
12 apply to a person employed as an executive director prior to
13 July 1, 1989.

14 b. ~~The commission may employ an administrator in lieu of~~
15 ~~an executive director. Administrators shall not be required~~
16 ~~to meet all the qualifications provided in section 35B.3 for~~
17 ~~commissioners. An administrator may hold another position~~
18 ~~within the county or other government entity while serving as~~
19 ~~an administrator only if such position does not adversely~~
20 ~~affect the administrator's duties under this chapter.~~

21 b. c. Upon the employment of an executive director ~~or~~
22 ~~administrator~~, the executive director ~~or administrator~~ shall
23 complete a course of initial certification training provided
24 by the department of veterans affairs pursuant to section
25 35A.5. ~~If an executive director or administrator fails to~~
26 ~~obtain certification within one year of being employed, the~~
27 ~~executive director or administrator shall be removed from~~
28 ~~office. If an executive director is not appointed, a A~~
29 ~~commissioner or a clerical assistant shall other commission~~
30 ~~employee may also complete the course of certification~~
31 ~~training. The department shall issue the executive director,~~
32 ~~administrator, commissioner, or clerical assistant employee a~~
33 ~~certificate of training after completion of the initial~~
34 ~~certification training course. To maintain annual~~
35 ~~certification, the executive director, administrator,~~
1 ~~commissioner, or clerical assistant employee shall attend one~~
2 ~~department training course each year satisfy the continuing~~
3 ~~education requirements established by the national association~~
4 ~~of county veteran service officers. Failure of an executive~~
5 ~~director or administrator to maintain certification may shall~~
6 ~~be cause for removal from office. The expenses of training~~
7 ~~the executive director or administrator shall be paid from the~~
8 ~~appropriation authorized in section 35B.14.~~

9 d. ~~The duties of the executive director, administrator,~~
10 ~~and employees shall include all of the following:~~

11 (1) ~~Inform members of the armed forces, veterans, and~~
12 ~~their dependents of all federal, state, and local laws enacted~~
13 ~~for their benefit.~~

14 (2) ~~Assist all residents of the state who served in the~~

5 15 armed forces of the United States and their relatives,
5 16 beneficiaries, and dependents in receiving from the United
5 17 States and this state any and all compensation, pensions,
5 18 hospitalization, insurance, education, employment pay and
5 19 gratuities, loan guarantees, or any other aid or benefit to
5 20 which they may be entitled under any law.
5 21 e. The department of veterans affairs or county veteran
5 22 affairs offices shall not charge for any service provided to
5 23 any individual.

5 24 Sec. 5. Section 35B.6, subsection 2, Code 2007, is amended
5 25 to read as follows:

5 26 2. Two or more boards of supervisors may agree, pursuant
5 27 to chapter 28E, to share the services of an executive director
5 28 or administrator. The agreement shall provide for the
5 29 establishment of a commission of veteran affairs office in
5 30 each of the counties participating in the agreement.

5 31 Sec. 6. Section 35B.6, subsection 4, Code 2007, is amended
5 32 by striking the subsection and inserting in lieu thereof the
5 33 following:

5 34 4. a. Each county commission of veteran affairs shall
5 35 maintain an office in a building owned, operated, or leased by
6 1 the county.

6 2 b. An executive director or administrator employed
6 3 pursuant to subsection 1 shall provide veterans services for
6 4 the following minimum number of hours each week:

6 5 (1) For a county with a population of thirty thousand or
6 6 less, no fewer than twenty hours per week.

6 7 (2) For a county with a population of more than thirty
6 8 thousand and less than sixty thousand, no fewer than thirty
6 9 hours per week.

6 10 (3) For a county with a population of sixty thousand or
6 11 more, no fewer than forty hours per week.

6 12 c. Counties sharing the services of an executive director
6 13 or administrator shall consider the aggregate population of
6 14 such counties when determining the number of hours of service
6 15 required under paragraph "b". The number of hours shall be
6 16 allocated between the counties in the proportion that the
6 17 population of each county bears to the aggregate population.

6 18 d. The hours that the office established under paragraph
6 19 "a", is open shall be posted in a prominent position outside
6 20 the office.

6 21 Sec. 7. Section 35B.14, Code 2007, is amended to read as
6 22 follows:

6 23 35B.14 COUNTY APPROPRIATION.

6 24 1. The board of supervisors of each county may appropriate
6 25 moneys for training an executive director or administrator as
6 26 provided for in section 35B.6, the food, clothing, shelter,
6 27 utilities, medical benefits, and funeral expenses of indigent
6 28 veterans, as defined in section 35.1, and their indigent
6 29 spouses, surviving spouses, and minor children not over
6 30 eighteen years of age, having a legal residence in the county.

6 31 2. The appropriation shall be expended by the joint action
6 32 and control of the board of supervisors and the county
6 33 commission of veteran affairs.

6 34 Sec. 8. Section 321.34, subsection 24, Code Supplement
6 35 2007, is amended to read as follows:

7 1 24. GOLD STAR PLATES. An owner referred to in subsection
7 2 12 who is the surviving spouse, parent, child, or sibling of a
7 3 deceased member of the United States armed forces who died
7 4 while serving on active duty during a time of military
7 5 conflict or who died as a result of such service may order
7 6 special registration plates bearing a gold star emblem upon
7 7 written application to the department accompanied by
7 8 satisfactory supporting documentation as determined by the
7 9 department. The gold star emblem shall be designed by the
7 10 department in cooperation with the commission of veterans
7 11 affairs. The special plate fees collected by the director
7 12 under subsection 12, paragraph "a", from the issuance and
7 13 annual validation of letter=number designated and personalized
7 14 gold star plates shall be paid monthly to the treasurer of
7 15 state and credited to the road use tax fund. Notwithstanding
7 16 section 423.43, and prior to the crediting of revenues to the
7 17 road use tax fund under section 423.43, subsection 1,
7 18 paragraph "b", the treasurer of state shall transfer monthly
7 19 from those revenues to the veterans license fee fund created
7 20 in section 35A.11 the amount of the special fees collected in
7 21 the previous month for gold star plates.

7 22 Sec. 9. STATE MANDATE FUNDING SPECIFIED. In accordance
7 23 with section 25B.2, subsection 3, the state cost of requiring
7 24 compliance with any state mandate included in this Act shall
7 25 be moneys appropriated in this Act and shall be deemed to meet

7 26 all the state funding=related requirements of section 25B.2,
7 27 subsection 3, and no specific state funding shall be necessary
7 28 for the full implementation of this Act by and enforcement of
7 29 this Act against all affected political subdivisions.
7 30 Sec. 10. EFFECTIVE DATE. This Act takes effect on July 1,
7 31 2009, except for section 8 of this Act, amending section
7 32 321.34, which shall take effect on July 1, 2008.
7 33
7 34
7 35

8 1 _____
8 2 JOHN P. KIBBIE
8 3 President of the Senate
8 4

8 5 _____
8 6 PATRICK J. MURPHY
8 7 Speaker of the House
8 8

8 9 I hereby certify that this bill originated in the Senate and
8 10 is known as Senate File 2134, Eighty=second General Assembly.
8 11
8 12
8 13

8 14 _____
8 15 MICHAEL E. MARSHALL
8 16 Secretary of the Senate

8 16 Approved _____, 2008
8 17
8 18
8 19

8 20 _____
8 21 CHESTER J. CULVER
8 21 Governor